

District Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHEHRIYAR ITALMAZOV, *et al.*,

No. 2:23-cv-01976

Plaintiffs,

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
ORDER

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

Plaintiffs brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate their Forms I-589, Applications for Asylum and for Withholding of Removal. Defendants’ response to the Complaint is currently due on April 29, 2024. The parties are currently working towards a resolution to this litigation. For good cause, the parties request now that the Court hold the case in abeyance until July 10st, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. USCIS has scheduled Shehriyar Italmazov’s interview for March 12, 2024, and since
5 such interview notice was received so late by plaintiff and attorneys, all supplemental documents
6 and evidence, if any, may be submitted by fax or FedEx by 1130am Friday 03/08/2024 to the
7 Asylum Office in San Franscico, and by paper to the Seattle Asylum Sub Office by 200pm on
8 Monday 2024 (than the usual 10-7 days prior to interview). USCIS agrees to diligently work
9 towards completing the adjudications within 120 days of the interviews, absent unforeseen or
10 exceptional circumstances that would require additional time for adjudications. If the
11 adjudications are not completed within that time, USCIS will provide a status report to the Court.
12 Plaintiffs recognize that failure to submit documents prior to the interview may require the
13 interview(s) to be rescheduled and the adjudication(s) delayed. If needed, Plaintiffs will bring an
14 interpreter to the interviews, otherwise the interviews will need to be rescheduled and the
15 adjudication delayed. After the interviews, USCIS will need time to adjudicate Plaintiffs’ asylum
16 applications. Once the applications are adjudicated, Plaintiffs will dismiss the case with each party
17 to bear their own litigation costs and attorneys’ fees. Accordingly, the parties request this abeyance
18 to allow USCIS to conduct Plaintiffs’ asylum interviews and then process their asylum
19 applications.

20 As additional time is necessary for this to occur, the parties request that the Court hold the
21 case in abeyance until July 10, 2024. The parties will submit a joint status report on or before July
22 10, 2024.

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3 Dated: March 7, 2024.

Respectfully submitted,

5 s/

6 s/ Zachary A. Cardin

ZACHARY A. CARDIN

(Md. Bar No. 1812110052)

Trial Attorney

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Section

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Attorney for Defendants

***I certify that this memorandum contains 388
words, in compliance with the Local Civil Rules.***

14 s/ Bart Klein

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Attorney for Plaintiffs

ORDER

The case is held in abeyance until July 10, 2024. The parties shall submit a joint status report on or before July 10, 2024. It is so **ORDERED**.

DATED this 8th day of March, 2024.

A handwritten signature in black ink, appearing to read "R S Lasnik", written over a horizontal line.

Robert S Lasnik
United States District Judge